REMARKS

Claims 1, 2, 4-7, 9, 10, 12, 13, 15 and 17 are pending and stand rejected. By the above amendment, claims 10 and 12 have been canceled without prejudice. Reconsideration of the claim rejections is requested based on the following remarks.

Claims 1, 2, 4-7, 9, 10, 12, 13, 15 and 17 stand rejected as being unpatentable over U.S. Patent No. 6,073,232 to Kroeker in view of U.S. Patent No. 6,434,695 to Esfahani, et al. The rejection of claims 10 and 12 is rendered moot by cancellation of such claims.

At the very least, it is respectfully submitted that claims 1 and 13 are patentable and non-obvious over the combination of Kroeker and Esfahani. For instance, with respect to claim 1, the combination of Kroeker and Esfahani does not disclose or suggest *preloading the boot data into a cache memory prior to completion of initialization of a central processing unit of the computer system, wherein preloading the boot data comprises accessing compressed boot data from a boot device*, as essentially recited in claim 1.

From the Response to Arguments (page 11) section of the Office Action, it appears that Examiner agrees with Applicants previous arguments that Esfahani does not disclose *preloading the boot data into a cache memory prior to completion of initialization of a central processing unit of the computer system*. However, the Examiner contends (p. 11, ¶ 16) that Kroeker "clearly discloses preloading the boot data into a cache memory prior to completion of initialization of a central process unit ..." Applicants respectfully disagree with Examiner's characterization of Kroeker in this

6

egard.

Although <u>Kroeker</u> generally discloses that the *disk drive completes its booting process before the host computer system is ready for program transfer,* " this does not specifically teach or suggest *preloading boot data into a cache memory <u>prior to completion of initialization of a central processing unit of the computer</u> system*. Indeed, Examiner should be aware that CPU initialization is one aspect of host computer initialization. Clearly, the Examiner has not specifically explained or demonstrated that <u>Kroeker</u> discloses preloading boot data before initialization of the host system CPU and, consequently, the rejections are seemingly based on surmise and conjecture. For at least this reason, the Office Action fails to present a *prima facie* case of obviousness against claim 1.

Moreover, with respect to claim 13, the combination of <u>Kroeker</u> and <u>Esfahani</u> does not teach or suggest, e.g., *a programmable <u>volatile</u> logic device, wherein the programmable <u>volatile</u> logic device is programmed by the DSP or controller <u>prior to completion of initialization of a central processing unit of the host system</u>, much less the DSP or controller preloading the compressed boot data into the cache memory device prior to completion of initialization of <u>the central processing unit of</u> the host system, and decompressing the preloaded compressed boot data to service requests for boot data from the host system <u>after completion of initialization of the central processing unit of the host system</u>*, as essentially recited in claim 13.
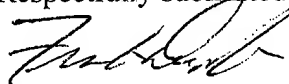
At the very least, the same arguments as set forth above for claim 1 apply to claim 1 in that the Examiner has not shown with legal sufficiency to establish a *prima facie* case

of obviousness that the cited combination of references discloses preloading the compressed boot data into a cache memory device prior to completion of initialization of the central processing unit of the host system, as recited in claim 13.

Therefore, claims 1 and 13 are patentable and non-obvious over the combination of Kroeker and Esfahani. Moreover, the remaining dependent claims are patentable over the cited combination at least by virtue of their dependence from respective base claims 1 or 13.

Early and favorable consideration by the Examiner is respectfully urged. Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, it is requested that the Examiner contact Applicants' undersigned attorney.

Respectfully submitted,

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